
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

DARRELL C. BLOOMQUIST,

Plaintiff,

v.

MICHAEL MISNER,

Defendant.

REPORT AND RECOMMENDATION

Case No. 2:15-cv-00882-JNP-DBP

District Judge Jill N. Parrish

Magistrate Judge Dustin B. Pead

This matter was referred to the court under 28 U.S.C. § 636(b)(1)(B). (ECF No. 6.) On September 12, 2016, the undersigned denied Plaintiff's motion for service of process. (ECF No. 7.) In the September 12 Order, the court noted certain deficiencies in Plaintiff's Complaint and ordered him to amend his pleading within thirty days. (*Id.*) The court warned Plaintiff that "Failure to do so will result in a recommendation that Plaintiff's complaint be dismissed." (*Id.*) Plaintiff did not respond to the court's order, or file an amended complaint. In fact, Plaintiff has taken no action in this case since the court's September 12 Order.

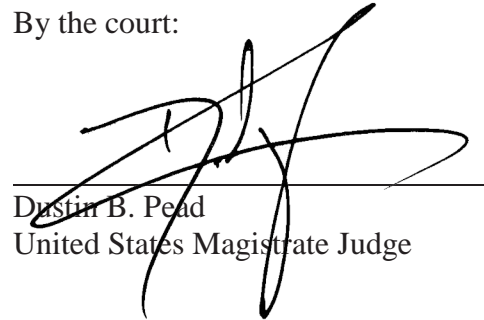
RECOMMENDATION

Based on Plaintiff's failure to prosecute this case, the court **RECOMMENDS** the District Court **DISMISS** this case without prejudice for lack of prosecution.

Copies of the foregoing Report and Recommendation are being sent to all parties who are hereby notified of their right to object. Within **fourteen (14) days** of being served with a copy, any party may serve and file written objections. *See* Fed. R. Civ. P. 72(b)(2). Failure to object may constitute a waiver of objections upon subsequent review.

Dated this 13th day of January 2017.

By the court:



Dustin B. Pead
United States Magistrate Judge